

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SUSANA ETEVOB, *et al.*

Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA and THE
PROVINCE OF BUENOS AIRES,

Defendants.

DENCHU INVESTMENT CORPORATION,

Plaintiff,

v.

THE REPUBLIC OF ARGENTINA,

Defendant.

MORENO LEGNARO, *et al.*,

Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA and THE
PROVINCE OF BUENOS AIRES,

Defendants.

ANNA FERRI, *et al.*,

Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA,

Defendant.

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03cv1680 (TPG)

03cv9538 (TPG)

05cv178 (TPG)

05cv2943 (TPG)

OSVALDO LORENZO SAUCO, *et al.*,

Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA,

Defendant.

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: 05cv3955 (TPG)
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PAOLO LISI, *et al.*,

Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA,

Defendant.

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: 05cv6002 (TPG)
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EMANUELE BOTTI, *et al.*,

Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA and THE
PROVINCE OF BUENOS AIRES,

Defendants.

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: 05cv8687 (TPG)
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WOLFGANG BOLLAND, *et al.*,

Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA,

Defendant.

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: 06cv3196 (TPG)
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ABEL AMOROSO, *et al.*,

Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA,

Defendant.

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: 06cv3197 (TPG)
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BLIWAY INTERNATIONAL S.A.,

Plaintiff,
v.

THE REPUBLIC OF ARGENTINA,

Defendant.

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: 06cv3198 (TPG)
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JOSEF SCHWALD, *et al.*,

Plaintiffs,
v.

THE REPUBLIC OF ARGENTINA,

Defendant.

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: 06cv6032 (TPG)
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IVELO HOLDING CORPORATION,

Plaintiff,
v.

THE REPUBLIC OF ARGENTINA,

Defendant.

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: 06cv7100 (TPG)
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HENDRIK BEYER, *et al.*,

Plaintiffs,
v.

THE REPUBLIC OF ARGENTINA,

Defendant.

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: 07cv98 (TPG)
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RENATO PALLADINI, *et al.*,

Plaintiffs,
v.

THE REPUBLIC OF ARGENTINA,

Defendant.

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: 07cv689 (TPG)
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PIER LUIGI CATTO, <i>et al.</i> ,	:	
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Plaintiffs,	:	
v.	:	07cv937 (TPG)
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THE REPUBLIC OF ARGENTINA,	:	
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Defendant.	:	

MARCO BORGRA, <i>et al.</i> ,	:	
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Plaintiffs,	:	
v.	:	07cv5807 (TPG)
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THE REPUBLIC OF ARGENTINA,	:	
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Defendant.	:	

ALESSIA MILANESI, <i>et al.</i> ,	:	
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Plaintiffs,	:	
v.	:	07cv7248 (TPG)
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THE REPUBLIC OF ARGENTINA,	:	
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Defendant.	:	

MICHAEL HEEB, <i>et al.</i> ,	:	
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Plaintiffs,	:	
v.	:	07cv10656 (TPG)
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THE REPUBLIC OF ARGENTINA,	:	
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Defendant.	:	

HWB VICTORIA STRATEGIES PORTFOLIO, <i>et al.</i> ,	:	
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Plaintiffs,	:	
v.	:	07cv10657 (TPG)
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THE REPUBLIC OF ARGENTINA,	:	
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Defendant.	:	

HWB VICTORIA STRATEGIES PORTFOLIO, <i>et al.</i> ,	:	
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Plaintiffs,	:	
v.	:	07cv11382 (TPG)
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THE REPUBLIC OF ARGENTINA,	:	
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Defendant.	:	

RUDOLF ERB, <i>et al.</i> ,	:	
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Plaintiffs,	:	
v.	:	07cv11495 (TPG)
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THE REPUBLIC OF ARGENTINA,	:	
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Defendant.	:	

U.V.A. VADUZ, <i>et al.</i> ,	:	
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Plaintiffs,	:	
v.	:	07cv11497 (TPG)
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THE REPUBLIC OF ARGENTINA,	:	
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Defendant.	:	

AMBER REED CORPORATION, <i>et al.</i> ,	:	
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Plaintiffs,	:	
v.	:	08cv440 (TPG)
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THE REPUBLIC OF ARGENTINA,	:	
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Defendant.	:	

ALEJANDRO ALBERTO ETCHETO, <i>et al.</i> ,	:	
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Plaintiffs,	:	
v.	:	08cv4902 (TPG)
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THE REPUBLIC OF ARGENTINA,	:	
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Defendant.	:	

HELMUT HAGEMAN,	:	
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Plaintiff,	:	
v.	:	08cv5436 (TPG)
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THE REPUBLIC OF ARGENTINA,	:	
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Defendant.	:	

CRISTA IRENE BRANDES, <i>et al.</i> ,	:	
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Plaintiffs,	:	
v.	:	08cv6625 (TPG)
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THE REPUBLIC OF ARGENTINA,	:	
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Defendant.	:	

OSCAR REINALDO CARABAJAL, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	
v.	:	09cv8275 (TPG)
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THE REPUBLIC OF ARGENTINA,	:	
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Defendant.	:	

DRAWRAH LIMITED, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	
v.	:	09cv8299 (TPG)
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THE REPUBLIC OF ARGENTINA,	:	
	:	
Defendant.	:	

OMNIBUS ORDER

Plaintiffs in the above captioned cases who are listed in Exhibit A attached (the “Milberg Plaintiffs”), having hereby joined in the Plaintiffs’ Ex Parte Omnibus Motion that was presented to the Court on January 11, 2010 in *EM Ltd. and NML Capital, Ltd. v. The Republic of Argentina and Banco Central de la Republica Argentina*, No. 06 Civ. 7792 (TPG), *EM Ltd. v. Republic of*

Argentina, 03 Civ. 2507 (TPG) and *NML Capital, Ltd. v. Republic of Argentina*, 03 Civ. 8845 (TPG), 05 Civ. 2434 (TPG), 06 Civ. 6466 (TPG), 07 Civ. 1910 (TPG), 07 Civ. 2690 (TPG), 07 Civ. 6563 (TPG), 08 Civ. 2451 (TPG), 08 Civ. 3302 (TPG), 08 Civ. 6978, 09 Civ. 1707 (TPG), 09 Civ. 1708 (TPG) (the “EM/NML Actions”); and

UPON THE FILING AND REVIEW OF the moving papers in the EM/NML Actions, including the (1) Memorandum of Law in Support of Plaintiffs’ Ex Parte Motion for Orders of Attachment and Restraint, and Writs of Execution, dated January 11, 2010, (2) the Declaration of Suzanne M. Grosso dated January 11, 2010 and attached exhibits, and (3) all pleadings, papers and evidence submitted in connection with EM/NML Actions; and

SUFFICIENT CAUSE BEING ALLEGED THEREFORE, IT IS HEREBY

ORDERED that the Milberg Plaintiffs’ attorneys and their respective employees are hereby specially appointed pursuant to Federal Rule of Civil Procedure (“Fed. R. Civ. P.”) 4.1, in addition to the U.S. Marshals Service for the Southern District of New York (the “U.S. Marshal”), to serve on any garnishee located within the jurisdiction of this Court, an Attachment Order issued on this date pursuant to Fed. R. Civ. P. 64 & 69, §§ 6201, 6202 & 6211 of the New York Civil Practice Law and Rules (“CPLR”), and the Foreign Sovereign Immunities Act, 28 U.S.C. §§ 1601 et seq., thereby levying upon each such garnishee pursuant to CPLR § 6214(a) so as to maintain priority pursuant to CPLR § 5234 in relation to other creditors of Argentina while Plaintiffs’ application is pending;

FURTHER ORDERED that the Attachment Order shall specify in accordance with CPLR § 6202 that it applies to any property in the United States (whether real or personal, tangible or intangible presently existing or hereafter arising), which could be assigned or transferred as provided in N.Y. C.P.L.R. § 5201, including but not limited to cash, gold, special

drawing rights, deposits, real property, instruments, securities, security entitlements, security accounts, equity interests, claims and contractual rights, and interests of any kind in the foregoing (collectively, the "Property"), directly or indirectly held or maintained in the name of, in a trust held by, or for the use or benefit of Banco Central de la Republica Argentina ("BCRA"), whether for its own account or for the benefit of Defendant the Republic of Argentina ("Argentina"), EXCLUDING: (a) property belonging to the embassy, consulate, or permanent mission to the United Nations of Argentina; and (b) any property that is, or is intended to be, used in connection with a military activity, and is of a military character or is under the control of a military or defense agency.

FURTHER ORDERED that no Property shall be taken into actual custody by any enforcement officer pursuant to the Attachment Order pending further order of this Court;

FURTHER ORDERED that pursuant to CPLR § 6214(e), the levy effected pursuant to service of the Attachment Order on each garnishee is extended until 30 days following final resolution of Plaintiffs' application, including any related appeals, proceedings on remand, and any subsequent appeals;

FURTHER ORDERED that pursuant to Fed. R. Civ. P. 64 & 69, CPLR § 5230, and 28 U.S.C. § 1610(c), the Milberg Plaintiffs' attorneys and their respective employees are authorized to deliver to the U.S. Marshal writs of execution or orders of attachment directed to the Property, which are to be levied by service immediately pursuant to CPLR § 5232 upon any located garnishee within the jurisdiction of this Court, so as to maintain priority pursuant to CPLR § 5234 in relation to other creditors of Argentina while Plaintiffs' application is pending;

FURTHER ORDERED that the U.S. Marshal is directed to defer seizure of any Property from any garnishee located within the jurisdiction of this Court pending further order of this Court;

FURTHER ORDERED that pursuant to CPLR § 5232(a), the levies effected pursuant to service of the writs of execution on any garnishee located within the jurisdiction of this Court are extended until 30 days following final resolution of Plaintiffs' application, including any related appeals, proceedings on remand, and any subsequent appeals;

FURTHER ORDERED that pursuant to CPLR § 5230(c), the time for the U.S. Marshal to serve the writs of execution and to return said executions to the Clerk of the Court is extended an additional 60 days;

FURTHER ORDERED that the Milberg Plaintiffs' attorneys and their respective employees shall effect personal service of this Omnibus order upon counsel for Argentina -- Cleary, Gottlieb Stern & Hamilton One Liberty Plaza, New York, New York 10006, attention Carmine Boccuzzi, Esq., and BCRA -- Sullivan & Cromwell LLP, 125 Broad Street, New York, New York, 10004, attention Joseph E. Neuhaus, Esq. (or such other counsel as BCRA may designate); and

FURTHER ORDERED that opposing papers, if any, are to be served upon counsel for the Milberg Plaintiffs, Milberg LLP, One Pennsylvania Plaza, New York, New York 10119, attention Michael C. Spencer, Esq.

Dated: New York, New York

January 19, 2010

3:00P.M.

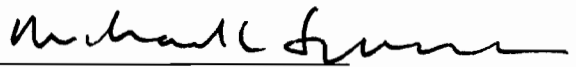
ENTERED



United States District Judge

Dated: New York, New York
January 19, 2010

Respectfully submitted,
MILBERG LLP

By: 

Michael C. Spencer
Peter Safirstein
Leigh Smith
Gary S. Snitow

One Pennsylvania Plaza
New York, NY 10119
Telephone: 212-594-5300
Facsimile: 212-868-1229
mspencer@milberg.com
psafirstein@milberg.com
lsmith@milberg.com
gsnitow@milberg.com

Attorneys for the Milberg Plaintiffs

CASE NO.	CASE NAME	PLAINTIFFS
03cv1680	<i>Etebob v. Republic of Argentina</i>	"Etebob Plaintiffs" Susana Etebob Juan Jose Rizzo Lis Carine Medina Hector Anibal Perez Nelida Guarnieri Laura Carolina Perez Juan A Jose Patricia Dalla Verde Jose Luis Marcelo Guatrini Mario Alberto Ruiz Farigold Trade SA Claudio Norberto Martinez Lilana Graciela Doval Francisco de Gamboa Cecilia Peluffo Javier I Gamboa Ignacio de Gamboa Rafael de Gamboa Silvia Alcira Murillo de Gerbert Laynel Corporation Marland International Witkron, S.A. Golsun, S.A. Grenfield International Claudia Aurora Sabatina Bartra Maria Alejandra Terra Risso Enrique Antonio Julio Gerbert
03cv9538	<i>Denchu Investment Corporation v. Republic of Argentina</i>	"Denchu Plaintiff" Denchu Investment Corporation
05cv178	<i>Legnaro v. Republic of Argentina</i>	"Legnaro Plaintiffs" Moreno Legnaro Giordano Allievi Gabriella Toscano Ambrogio Stucchi Guiseppe Stucchi Maria Luisa Stucchi Mario Dal Toe Pier Luigi Catto Victor Sacilotto Davide Ciallella Bramante Dal Toe Lucia Vettoretti Aldo Naj Oleari Maria Ida Modena Ada Dal Trozzo Luis Garica Tobio Antonia Marian Maciel
05cv2943	<i>Ferri v. Republic of Argentina</i>	"Ferri Plaintiffs" Eduardo Argentieri Carlo Adolfo Escati Armando Eduardo Valerio Mirta Antonia Portela Roque Perez Villalba Gabriel Federico Leimgurber Federico Hector Leimgurber Laura Victoria Demidovich Alejandro Demidovich Diego Walter Castrilli
05cv3955	<i>Sauco v. Republic of Argentina</i>	"Sauco Plaintiffs" Osvaldo Lorenzo Sauco Daniel Horacio Rolfo Alicia Evella Galiani Maria Agustina Sauco Maria Griselda Sauco Maria Florencia Sauco Maria Mercedes Sauco Griselda Teresa Dulevich

CASE NO.	CASE NAME	PLAINTIFFS
05cv6002	<i>Lisi v. Republic of Argentina</i>	"Lisi Plaintiffs" Sergio Rodolfo Berri Stella Maris Boffelli Malcolm Gerald Berri Nelida Rosa Paoloni Franco Maria Conte Lina Lo Vullo Francesco Massoletti Juan Jose Rizzo Claudia Sabatini Bartra
05cv6687	<i>Botti v. Republic of Argentina</i>	"Botti Plaintiffs" Maria Agustina Saucó Silvio Eduardo Schuster Rivka Schmuskovits De Schuster Nicolas Schuster Flavia Marina Schuster Miguel Kaufmann Edgardo A Ramos Beatriz Leonor De Ramos Elena Pasquali Portico Capital Inc Corleis S.A. Graciela Candida Saenz Norberto Angel Garcia Madeo Ana Maria Saenz Jorg Zahn
06cv3196	<i>Bolland v. Republic of Argentina</i>	"Bolland Plaintiffs" Wolfgang Bolland Hartmut Peters Wege Zu Mozart Veranstaltungsgesellschaft mbH
06cv3197	<i>Amoroso v. Republic of Argentina</i>	"Amoroso Plaintiffs" Abel Amoroso Andrea Paleari Gamatown Corp S.A. Norfolk Investment Trade Co Ltd Eduardo Raul Garrido Claudia Beatriz Rizzo Ignacio Eduardo Garrido Rizzo
06cv3198	<i>Bilway International SA v. Republic of Argentina</i>	"Bilway Plaintiff" Bilway International S.A.
06cv6032	<i>Schwald v. Republic of Argentina</i>	"Schwald Plaintiffs" Josef Schwald Sabine Zahn Boim S.A. Stefano Spanicciati Nestor Alberto Rubin Andreas Wilfried Schwald
06cv7100	<i>Ivelo Holding Corporation v. Republic of Argentina</i>	"Ivelo Plaintiff" Ivelo Holding Corporation
07cv98	<i>Beyer v. Republic of Argentina</i>	"Beyer Plaintiffs" Hendrik Beyer Antonio Juan Pauletich Fabian E. Pauletich Franco Peruz Norberto Dario Casella Street Investments Limited Guido Scanavino Lydia Scanavino Giancarlo Grassi Edgardo Gerardo A Sciafani Lucia Rafaela Tasso Alexia Brandes Fernando Exposito

CASE NO.	CASE NAME	PLAINTIFFS
07cv689	<i>Palladini v. Republic of Argentina</i>	"Palladini Plaintiffs" Renato Palladini Mara Cavana Maurizio Dalla Fincompany S.A. Pasquale Ciuffoli Gloria Gaggioli Valerio Chiriatti Simonetta Bucciol Attilio Guadenzi Elena Marcaccini Ildebranco Motti Tullia Turchi Loris Zavoli Andrea Vignali
07cv937	<i>Catto v. Republic of Argentina</i>	"Catto Plaintiffs" Pier Luigi Catto Costantino Catto Giuseppe Catto
07cv5807	<i>Borgra v. Republic of Argentina</i>	"Borgra Plaintiffs" Alfredo Carlos Alzaga Miguel Alberto Balestrini Bibiana Della Flora Maria Isabel Balestrini Mariana Noemi Tauss Atilio Luis Pocosgnich Alicia Beatriz Gracian Carolina Pocosgnich Alejandro R Luppi Beatriz Marti Reta Horacio Tomas Liendo
07cv7248	<i>Milanesi v. Republic of Argentina</i>	"Milanesi Plaintiffs" Alessia Milanesi Luciana Ceredi Luciano Milanesi Peng Zeying Woon Cheung Leung Raul Alejandro Gonzalez Martin Gustavo Carlos Ferreira Jose Emilio Cartana Raul Horacio Mendez Maria Mercedes Mendez Ferro
07cv10656	<i>Heeb v. Republic of Argentina</i>	"Heeb Plaintiffs" Michael Heeb Roberto Claudio Pitronaci Elle Alberto Guillermo Hillcoat Elena Graciela Martinez Enrique Sebastian Pa Minetti Sebastian Jorge Palacio Maria Esther Ferrer AJU S.A. Casimiro Kornas Miguel Alberto Balestrini Bibiana Della Flora Carlos Alberto Melconian Lidia Florinda Pioli Ana Lidia Leivas Juan Domingo Balestrelli
07cv10657	<i>HWB Victoria Strategies Portfolio v. Republic of Argentina</i>	"HWB 1 Plaintiffs" HWB Victoria Strategies Portfolio Gunther Braun HWB Renten Portfolio Plus HWB Quo Vadis HWB Alexandra Strategies Portfolio NW Global Strategy Victoria Strategies Portfolio Ltd. HWB Portfolio Plus

CASE NO.	CASE NAME	PLAINTIFFS
07cv11382	<i>HWB Victoria Strategies Portfolio v. Republic of Argentina</i>	"HWB 2 Plaintiffs" HWB Victoria Strategies Portfolio HWB Renten Portfolio Plus HWB Quo Vadis HWB Alexandra Strategies Portfolio Victoria Strategies Portfolio Ltd HWB Portfolio Plus
07cv11495	<i>Erb v. Republic of Argentina</i>	"Erb Plaintiffs" Rudolf Erb Christa Erb Cesare De Iulius Mirta Beatrice Mandolino Eduardo Hector Sorroche Susana Alicia Costa Diego Marcos Sorroche Veronica Sorroche Silvia Beatriz Ovejero David De Lafuente Jose L Peluso
07cv11497	<i>U.V.A. Vaduz v. Republic of Argentina</i>	"U.V.A. Vaduz Plaintiffs" U.V.A. Vaduz Klaus Bohrer
08cv440	<i>Amber Reed Corp. v. Republic of Argentina</i>	"Amber Reed Plaintiffs" Amber Reed Corp. Consultora Kilser S.A.
08cv4902	<i>Etcheto v. Republic of Argentina</i>	"Etcheto Plaintiffs" Alejandro Alberto Etcheto Susana Alicia Monkes Alberto Haber
08cv5436	<i>Hageman v. Republic of Argentina</i>	"Hageman Plaintiff" Helmut Hageman
08cv6625	<i>Brandes v. Republic of Argentina</i>	"Brandes Plaintiffs" Crista Irene Brandes Francisco Miguel Molinari
09cv8275	<i>Carabajal v. Republic of Argentina</i>	"Carabajal Plaintiffs" Oscar Reinaldo Carabajal Dora Luisa Sasal Marta Azucena Vazquez Rosa Delfina Castro Gamatown Corporation S.A.
09cv8299	<i>Drawrah v. Republic of Argentina</i>	"Drawrah Plaintiffs" Drawrah Limited HWB Alexandra Strategies Portfolio HWB Immobilien Plus HWB Dachfonds - VeniVidVici HWB Gold & Silber Plus HWB Portfolio Extra Plus Victoria Strategies Portfolio Ltd.